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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,070	12/31/2001	Keiichi Sasaki	217792US2TTC	5628

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EXAMINER

TSAI, CAROL S W

ART UNIT	PAPER NUMBER
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2857

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,070

Applicant(s)

SASAKI ET AL.

Examiner

Carol S Tsai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,7-9,13 and 22-24 is/are allowed.
- 6) ☒ Claim(s) 1,6,12,17-19 and 25 is/are rejected.
- 7) ☒ Claim(s) 3-5,10,11,14-16,20,21 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claims 5, 10, 11, 16, 20, and 21 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5, 10, 11, 16, 20, and 21, have not been further treated on the merits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 6, 12, 17, and 25 are rejected under 35 U.S.C. 102(a) as being anticipated by U. S. Patent No. 6,175,934 to Hershey et al.

With respect to claims 1, 12, and 25, Hershey et al. disclose a degradation diagnosis mediation device, comprising: selection section that inputs an equipment degradation diagnostic request from a diagnosis requester through a network and selects a degradation diagnosis request handler in accordance with degradation diagnosis execution condition information specified in respect of at least one degradation diagnosis request handler and condition information according to which said diagnosis requester requests degradation diagnosis, and requests said selected degradation diagnosis request handler to execute degradation diagnosis (see Figs. 1-3; col. 4,

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lines 5-54; col. 5, line 29 to col. 6, line 14; and col. 8, lines 18-33); and result output section that acquires execution results of degradation diagnosis by said selected degradation diagnostic request handler and outputs said execution results through said network to said diagnosis requester (see col. 5, line 56 to col. 6, line 6 and col. 10, lines 41-48).

As to claims 6 and 17, Hershey et al. also disclose a degradation diagnosis method comprising: storing information for diagnostic purposes specifying degradation diagnostic processing whereby a state of degradation of equipment is diagnosed in a diagnostic database (see col. 3, lines 7-14); inputting said information utilized in said degradation diagnosis processing from a diagnosis requester through a network; executing said degradation diagnostic processing in accordance with said information for diagnostic purposes stored in said diagnostic database and information input from said diagnosis requester (see Figs. 1-3; col. 4, lines 5-54; col. 5, line 29 to col. 6, line 14; and col. 8, lines 18-33); and outputting said execution results to said diagnosis requester through said network (see col. 5, line 56 to col. 6, line 6 and col. 10, lines 41-48).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hershey et al. in view of U. S. Patent No. 6,539,499 to Stedman et al.

As noted above, Hershey et al. disclose the claimed invention, except for an output section whereby a request for reading manual information relating to degradation diagnostic processing is input from a diagnosis requester through said network and said manual information is output through said network to said diagnosis requester that requested a reading.

Stedman et al. teach an output section whereby a request for reading manual information relating to degradation diagnostic processing is input from a diagnosis requester through said network and said manual information is output through said network to said diagnosis requester that requested a reading (see col. 7, lines 35-52).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hershey et al.'s method to include an output section whereby a request for reading manual information relating to degradation diagnostic processing is input from a diagnosis requester through said network and said manual information is output through said network to said diagnosis requester that requested a reading, as taught by Stedman et al., in order that the user can be able to direct a detailed, comprehensive diagnostic application through a user-friendly interface to perform diagnostic tests (see col. 7, lines 38-40).

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hershey et al. in view of Stedman et al. as applied to claims 17 and 18 above, and further in view of U. S. Publication 2002/0042896 to Johnson et al.

As noted above, Hershey et al. in combination with Stedman et al. teach all the features of the claimed invention, but do not disclose a sending section whereby a request for sending out an environmental evaluation unit utilized for measurement for evaluation of an environment state

in which an equipment is arranged is input from a diagnosis requester through said network and instructions are given for sending out of said environmental evaluation unit.

Johnson et al. teach a sending section whereby a request for sending out an environmental evaluation unit utilized for measurement for evaluation of an environment state in which an equipment is arranged is input from a diagnosis requester through said network and instructions are given for sending out of said environmental evaluation unit (see paragraphs 0036, 0038, 0041, and 0058-0067).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hershey et al. in combination with Stedman et al.'s method to include a sending section whereby a request for sending out an environmental evaluation unit utilized for measurement for evaluation of an environment state in which an equipment is arranged is input from a diagnosis requester through said network and instructions are given for sending out of said environmental evaluation unit, as taught by Johnson et al., in order to provide users the ability to accurately diagnose the environmental conditions of a computer, such as fan speeds, internal temperatures and voltage levels, and gauge the health of their computer (see Johnson et al. Abstract, lines 4-7).

Allowable Subject Matter

7. Claims 3, 4, 14, 15, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. Claims 2, 7-9, 13, and 22-24 are allowed.

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U. S. Patent No. 6,175,934 to Hershey et al. in view of U. S. Patent No. 6,415,392 to Suzuki et al. are references closest to the claimed invention. Suzuki et al. disclose a degradation diagnostic method, comprising: registering in a diagnostic results database contents of an equipment degradation diagnostic request and execution results of degradation diagnosis in accordance with said equipment degradation diagnostic request; first inputting a degradation diagnostic request from a diagnosis requester through a network; and outputting execution results of a degradation diagnosis to said diagnosis requester through said network. However, Hershey et al. in combination with Suzuki et al. do not teach reading execution results of a degradation diagnosis in accordance with a degradation diagnostic request having a prescribed relationship from said diagnostic results database if said degradation diagnostic request having a prescribed relationship with said degradation diagnostic request input from a diagnosis requester is registered in said diagnostic results database

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsushima et al. disclose network connectable household electric appliances in general home, such as refrigerators, washing machines, microwave ovens, air conditioners and lighting fixtures and a workstation of a service center being connected to permit communication therebetween.

Deitsch et al. disclose a gateway for securely connecting arbitrary devices and service providers.

Wooddruff discloses a method for managing a computer system including initiating a reset of the computer system from a remote location.

Cromer et al. disclose a data processing system and method for permitting a server computer system to perform remote diagnostics on a malfunctioning client computer system coupled to the server computer system utilizing a network.

Tomlinson, Jr. et al. disclose public or private remote access infrastructures in a communication system being used to facilitate communications between a remote site and a centrally located diagnostic center using only local telephone calls.

Gebauer discloses an apparatus for and method of utilizing an Internet terminal coupled to the World Wide Web to access an existing proprietary data base management system having a dialog-based request format.

Fawcett et al. disclose an automated system and method for diagnosing and resolving computer-related problems from a product support center.

Darling et al. disclose a voice band data set network including a control data set, a plurality of tributary data sets and a diagnostic control device.

Bentley et al. disclose a data-processing subsystem diagnoses problems in one of its own subsystems, by sensing the configuration of the subsystem, displaying both text and graphic information concerning control settings and indicators on components of the subsystem, displaying information directing an operator to perform certain actions, receiving his inputs, then selecting and performing tests upon the subsystem components based upon the configuration, previous test results, and operator inputs.

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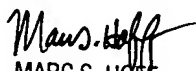
Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. Tsai whose telephone number is (703) 305-0851. The examiner can normally be reached on Monday-Friday from 7:30 AM to 4:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (703) 308-1677. The fax number for TC 2800 is (703) 308-7382. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2800 receptionist whose telephone number is (703) 308-1782.

In order to reduce pendency and avoid potential delays, Group 2800 is encouraging FAXing of responses to Office actions directly into the Group at (703) 308-7382. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2800 will be promptly forwarded to the examiner.

Carol S. Tsai

07/23/03


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